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PATENT

ATTORNEY DOCKET NO.: 040894-7160

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applica	ition of:	) Confirmation No.: 9680	
Kazuo HIGU	JCHI	) Art Unit: 3721	
Application N	No.: 10/520,124	) Examiner: N. Chukwurah	
Filed: Januai	ry 3, 2005	) )	
DETE	DUAL STAPLE AMOUNT ECTION DEVICE OF ELECTRIC PLER	) ) )	
U.S. Patent a	Street		
Sir:			
AME	NDMENT AND REQUEST FOR CO TRANSMIT	ONTINUED EXAMINATION (RCE) FTAL	
	is a Request for Continued Examination fied application.	n (RCE) under 37 C.F.R. § 1.114 of the	
1. Subm	nission required under 37 C.F.R. § 1.11	4	
	previously filed on to above will be entered).  Please consider the arguments previously filed on	s in the Appeal Brief or Reply Brief	
	Other:	10/06/2006 MBERHE 00000052 500310 105	520124
		01 FC:1801 790.00 DA	

		Enclosed:  Amendment  Supplemental Reply  Affidavit(s)/Declaration(s)  Information Disclosure Statement  Form 1449
2.	Misce	llaneous
		Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).
		Other:
3.	Fees C	Calculation
	(a)	RCE Fee required under 37 C.F.R. § 1.17(e)
	(b)	Additional Claims

CLAIMS AS	AMENDED	<del></del>		<u> </u>		T
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	18	minus	20	0	x \$50 each =	+ \$00.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$200 each =	+ \$00.00
[] First presentation of Multiple dependent claim(s) \$360.00						+ \$00.00
SUB-TOTAL =					\$00.00	
Reduction by ½ for filing by a small entity					- \$00.00	
TOTAL FEE =					\$00.00	

Exter	ision of Time			
	Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.			
	Applicants petition for an extension of time, the fees for which in 37 C.F.R. § 1.17(a), for the total number of months checked			
	Total Months	Fee for	Fee for Small	
	Requested	Extension	Entity	
	one month	\$ 120.00	\$ 60.00	
	two months	\$ 450.00	\$225.00	
	three months	\$ 1020.00	\$510.00	
	four months	\$ 1590.00	\$795.00	
	An extension for month has already been secured and the fee paid therefor of is deducted from the total fee due for the total months of extension now requested.			
	The extension of time fee for this request: \$0.00.			
	If an additional exter consider this a Petiti		dditional fee is required, plo	ease

(c)

4.	Fee Pa	Payment			
		Enclosed is a check in the amount of \$			
		The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of \$790.00 for the RCE filing.			
		<b>EXCEPT</b> for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.1 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be <b>CONSTRUCTIVE PETITION FOR EXTENSION OF TIME</b> in accordance with 37 C.F.R. § 1.136(a)(3).			
		Respectfully submitted,			
			MORGAN LEWIS & BOCKIUS LLP		
Dated: October 4, 2006		Ву:	Bradford A. Cangro Reg. No. 58,478		

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